

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Four Rivers Field Office
3948 Development Avenue
Boise, Idaho 83705-5339

**DECISION RECORD
For the
Big Willow Packard's Milkvetch Management
Vegetation Treatments/Exclosures
NEPA No. DOI-BLM-ID-B010-2011-0048-EA**

Decision - Vegetation Treatments/Exclosures

It is my decision to implement the vegetation treatments and exclosure fencing described in Alternative B of the Big Willow Packard's Milkvetch Management Environmental Assessment #DOI-BLM-ID-B010-2011-0048-EA. The following actions will occur:

- Vegetation restoration treatments will occur on 1,166 acres of public land within 400 yards of Packard's milkvetch element occurrences (EOs; areas where plants are known to occur). Biological and chemical herbicides will be applied, native seeds and plants will be distributed using OHV-mounted sprayers and seeders, backpack sprayers, and hand tools. Pre- and post-emergent herbicides (e.g., Imazapic, glyphosate, 2,4-D, and/or bioherbicides) will be used to reduce exotic forb and annual grass cover. Thatch and fuel will be controlled using gas-powered mowers and trimmers. Outside these 400 yard buffer areas, tractor mowers and minimum-till seed drills pulled by tractors or dozers may be used to reduce fuels and seed native bunchgrasses and forbs. Closed roads and trails will be revegetated.
- Five permanent exclosures (5.4 miles of fence, 470 acres) will be constructed to minimize disturbance of EOs. Livestock and OHV use will not be authorized in the exclosures.

Authority

The authority for vegetation treatments and fencing is located in the Public Rangelands Improvement Act (PRIA) of 1978, the 1988 Cascade Resource Management Plan (RMP), and the 2007 Final Programmatic Environmental Impact Statement Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States.

Compliance and Monitoring

Packard's milkvetch EOs and vegetation treatment monitoring will be conducted as described in Appendix 1 (DOI-BLM-ID-B010-2011-0048-EA). Changes in management will be made as necessary, based on monitoring results.

NEPA Compliance

The Four Rivers Field Office conducted public scoping in 2012 including a scoping letter sent to interested publics and public meetings in Payette and Emmett Idaho (EA Section 1.6). Five

alternatives were analyzed including Alternative A - Resume Use of Designated Trails (44 miles of designated routes), Alternative B - Limited Motorized Access (11 miles of designated routes), Alternative C – Maximum Motorized Access (59 miles of designated routes), Alternative D - Moderate Motorized Access (24 miles of designated routes), and Alternative E - No Motorized Access (2 miles of designated routes).

Based on my review of the EA and consideration of comments received, I determined that the proposed actions will not result in any significant impacts to the human environment. The EA and Finding of No Significant Impact (FONSI) is available upon request to the Four Rivers Field Office, and will be available with this Decision Record on the Idaho BLM public internet site at <http://www.blm.gov/id/st/en/info/nepa.html> throughout an administrative appeal period for this decision.

Rationale for the Decision

The Proposed Action (Alternative B) is in conformance with the Cascade RMP issued July 1, 1988. The RMP identified that all Federal candidate and sensitive plants should be protected. Packard's milkvetch was listed as a candidate species under the Endangered Species Act in 2010.

Adoption of Alternative B effectively addresses the Purpose and Need (Section 1.1) of DOI-BLM-ID-B010-2011-0048-EA and meets the objectives of the Cascade RMP based upon the following:

- The vegetation treatments will maintain and restore native vegetation in areas surrounding Packard's milkvetch EOs (EA Section 3.1.2.3). Reductions in exotic annuals and increases in native perennial grasses, forbs, and shrubs within 400 yards of EOs will improve pollinator habitat, reduce wildland fire danger, and limit competition. Treatments outside the 400-yard buffer will provide pollinator connectivity between EOs and reduce wildland fire danger. Improving conditions for Packard's milkvetch is in accordance with 43 U.S.C. Section 1901(b)(2) of the PRIA to "improve the condition of public rangelands."
- Exclosures will eliminate livestock trampling and OHV impacts from 14 suboccurrences of Packard's milkvetch (82% of those on BLM-administered lands) and 470 acres of pollinator habitat (EA Section 3.1.2.3). Coordination with the livestock permittee will help limit trampling impacts on the remaining suboccurrences and pollinator habitat. Removing or limiting these impacts and subsequent vegetation condition improvements will help ensure Packard's milkvetch viability. Using fencing to protect Packard's milkvetch is in accordance with 43 U.S.C. Section 1902(f) of the PRIA to implement range improvements to "change vegetative composition and control patterns of use."

Failure to implement vegetation treatments and exclosure fencing (Alternative A) would result in static or declining vegetation conditions, OHV damage to pollinator habitat and EOs, and livestock trampling in EOs (EA Section 3.1.2.2). Continuation of these conditions and impacts would adversely affect the long-term viability of Packard's milkvetch and would not meet the Purpose and Need (Section 1.1) of DOI-BLM-ID-B010-2011-0048-EA.

I conclude Alternative B will best meet the requirements of the Cascade RMP, PRIA, and BLM policy (BLM Manual 6840) to conserve sensitive species. The proposed action will not have a significant impact to the human environment (Finding of No Significant Impact for DOI-BLM-ID-B010-2011-0048-EA); therefore, an environmental impact statement is not required. The impacts to Packard's milkvetch and pollinator habitat will not be significant because appropriate safeguards, monitoring,

and adaptive management guidelines will minimize adverse impacts. The exclosures will cause minor impacts to livestock operators. Together, the actions will help ensure long-term viability of Packard's milkvetch which will help preclude listing it as threatened or endangered under the Endangered Species Act.

Administrative Remedies

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on [decision date]. Within 30 days of this decision notification, a notice of appeal must be filed in the office of the authorized officer at *Bureau of Land Management, Boise District Office, 3948 Development Ave., Boise ID 83705*. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21 (b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- 1) The relative harm to the parties if the stay is granted or denied,
- 2) The likelihood of the appellant's success on the merits,
- 3) The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and
- 4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Boise Field Solicitors Office, *U.S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho 83706* not later than 15 days after filing the document with the authorized officer and/or IBLA.

Approval of Authorized Officer

/s/ *Matthew McCoy*

7/1/2013

Terry A. Humphrey – Four Rivers Field Manager

Date

Contact: For questions concerning this decision, please contact Tom McGinnis, Ecologist, Four Rivers Field Office, 208-384-3356 or at tmcginnis@blm.gov.